UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
THAI, CANG G

ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
←	**Office Action Summary**	09/782,131	SMRCKA ET AL.
		Examiner	Art Unit	
		Cang G. Thai	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *February 12, 2001*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-69* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-69* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date *February 12, 2001*.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

Information Disclosure Statement

1.   The information disclosure statement (IDS) submitted on February 12, 2001, is in

compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is

considering the information disclosure statement.

Claim Rejections - 35 USC § 101

2.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

3.   Claims 1-65 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter.

The basis of this rejection is set forth in a two prong test of:

1.   whether the invention is within the technological arts; and

2.   whether the invention produces a useful, concrete, and tangible result.

For a claimed invention to be statutory, the claimed invention must be within the

technological arts. Mere idea in the abstract (i.e. abstract ideas, law of nature, natural

phenomena) that do not apply, involve, use, or advance the technological arts fail to

promote the "progress of science and the useful arts" (i.e. physical sciences as opposed

to social sciences for example), and therefore are found to be non-statutory subject

matter. For a process claim to pass muster, the recited process must somehow apply,

use or advance the technological arts.

In the present case, Claim 1 is directed to "A method of product development and

commercialization comprising:

(a)   determining customer requirements for a product;

(b)   determining the return on investment of developing said product per said

customer requirements;

(c)   setting final requirements;

(d)   approving said final requirements;

(e)   selecting a base technology;

(f)   modifying said base technology to meet said final requirements;

(g)   approving said base technology selection and said modifications;

(h)   testing said modified base technology to verify it meets said final

requirements;

(i)   approving said testing of said modified base technology;

(j)   checking compliance with at least a portion of the relevant laws and

regulations of at least a portion of the jurisdictions where the modified

base technology will be made, transported, or sold;

(k)   approving said assurance of compliance; and

(l)   manufacturing/commercializing said modified base technology".

In the present case, Claim 1 does not require any technology. The recited steps

of product development and commercialization does not apply, involve, use, or advance

the technological arts since all of the recited steps can be done with no technology at

all. The recited steps only constitute an idea of product development and

commercialization.

Additionally, for a claimed invention to be statutory, the claimed invention must

produce a useful (specific utility), concrete (repeatability and/or implementation without

undue experimentation), and tangible (a real or actual affect) result.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter, which the applicant regards as his invention.

5.   Claims 1-65 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as their invention.

6.   Claims 1, 16, 39, and 56, recite the limitation of "base technology" in the

preamble but there is no where in the body of the claims the term "base technology" is

cited or discussed.

7.   Claim 1 recites the limitation "product" in "product development and

commercialization". There is insufficient antecedent basis for this limitation in the claim.

It is vague on how step (a) and step (b) are being done. There is no parameter step

prior to determine customer requirements for a product. The preamble mentions the

term "investment", which normally means "the outlay of money usually for income or

profit", but there is not step of "outlay for the product to compare to in order to determine

the return on investment of developing the product". It is not clear on the process step

prior to step (c). Is the step (e) being done automatically or manually?

Claim Rejections - 35 USC § 102

8.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

9.   Claims 1-69 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

Patent No. 6,405,364 (BOWMAN-AMUAH).

As for claim 1, BOWMAN-AMUAH discloses a method of product development

and commercialization comprising:

   (a)   determining customer requirements for a product {Column 2, Lines 19-21,

         wherein this reads over "requirements are specified for both an system to

         be built and an implementation strategy to fulfill the requirements};

   (b)   determining the return on investment of developing said product per said

         customer requirements {Column 2, Lines 21-22, wherein this reads over

         "the system is built according to the implementation strategy"};

   (c)   setting final requirements {Column 2, Lines 22-24, wherein this reads over

         "performance and maintenance of the system are improved by using

         information relating to the previous system";

   (d)   approving said final requirements {Column 36, Lines 46-49, wherein this

         reads over "the overall objective of design is to transform functional and

technical specifications into a blueprint of the system, one that will

effectively guide construction and testing"};

(e)   selecting a base technology {Column 36, Lines 32-35, wherein this reads

over "the success of the entire design effort depends on the quality of the

work performed to gather, document, communicate, and analyze

requirements in the early stage"};

(f)   modifying said base technology to meet said final requirements {Column

55, Lines 7-8, wherein this reads over "each of these groups is also

assigned specific read/write/delete/modify authority"};

(g)   approving said base technology selection and said modifications {Column

40, Lines 40-43, wherein this reads over "it is vital that those responsible

for usability and target user groups are involved in regular reviews as the

system is being developed"};

(h)   testing said modified base technology to verify it meets said final

requirements {Column 42, Lines 42-44, wherein this reads over "the

assembly test tests the interaction of related components to ensure that

the components, when integrated, function properly"};

(i)   approving said testing of said modified base technology {Column 42, Lines

56-58, wherein this reads over "component and assembly testing ensures

that all transactions, database, and conversations flows function

accurately"};

    (j)   checking compliance with at least a portion of the relevant laws and

regulations of at least a portion of the jurisdictions where the modified

base technology will be made, transported, or sold {Column 59, Lines 40-

43, wherein this reads over "configuration management tools to help

control versioning of code, changes to code, and migration of code (and

accompanying design and test documentation) through the development

and testing environment"};

    (k)   approving said assurance of compliance {Column 133, Lines 65-67,

wherein this reads over "the risk of adopting this approach must be

addressed thoroughly, and should be approved be senior management"};

and

    (l)   manufacturing/commercializing said modified base technology {Column

29, Lines 32-34, wherein this reads over "a pipeline consists of all the

necessary development and testing stages required to deliver a piece of

software to production"}.

As for claim 2, BOWMAN-AMUAH discloses the method of claim 1 further

comprising storing all data entered, retrieved, processed, created, stored, or modified in

one or more central or distributed mutually accessible databases {Column 3, Lines 36-

38, wherein this reads over "a personal computer such as an IBM compatible personal

computer, Apple Macintosh computer or UNIX based workstation"}.

As for claim 3, BOWMAN-AMUAH discloses the method of claim 1 further

comprising sending an electronic mail notification to a participant in the method or an

interested person upon completion of one of the steps of the method {Column 45, Lines

54-55, wherein this reads over "E-mail provides the capability of sending and receiving

messages electronically"}.

As for claim 4, BOWMAN-AMUAH discloses the method of claim 2, wherein all

participants in the method and authorized persons may access at least a portion of said

database {Column 45, Lines 57-62, wherein this reads over "E-mail is a convenient toll

for distributing information to a group of people, as it has the advantage of delivering

content directly to the 'mailbox' of each individual, rather than relying on individuals to

access a central data repository in order to retrieve the information"}.

As for claim 5, BOWMAN-AMUAH discloses the method of claim 4, wherein said

access includes a plurality of pre-defined views, thereby permitting quick information

sorting {Column 46, Lines 23-25, wherein this reads over "teamware provides the ability

to capture and share information across a project through the use of common-access,

structure database"}.

As for claim 6, BOWMAN-AMUAH discloses the method of claim 4, wherein said

access to said database is available globally from any personal computer having

installed thereon a client application configured to perform database management

system functions with said database and having a network connection configured to

allow communication between said client application and said database {Column 2,

Lines 5-7, wherein this reads over "the communication model under the conventional

Web environment provides a very limited level of interaction between clients and

servers"}.

As for claim 7, BOWMAN-AMUAH discloses the method of claim 1, wherein the steps are performed sequentially such that a later step is not performed until all earlier steps are completed {Column 61, Lines 48-50, wherein this reads over "version control tools allow systematic storage of information about who makes changes in what order so that the evolution of the system can be tracked"}.

As for claim 8, BOWMAN-AMUAH discloses the method of claim 7, further comprising locking at least a portion of said steps prior to the completion of all earlier steps and unlocking said steps upon completion of all earlier steps, thereby preventing entering a step out of order without authorization {Column 65, Lines 33-37, wherein this reads over "data migration control tools manage multiple versions of the database and its data to ensure that accurate data and structure are maintained in the environment, and to ensure that versions of application code and database are deployed consistently"}.

As for claim 9, BOWMAN-AMUAH discloses the method of claim 1, further comprising locking at least a portion of said steps after their completion, thereby preventing revision of said steps without authorization {Column 61, Lines 34-36, wherein this reads over "version control tools control access to source code as it is developed and tested and allow multiple versions to be created, maintained, or retrieved"}.

As for claim 10, BOWMAN-AMUAH discloses the method of claim 1, further comprising terminating the method at any step, wherein said termination prevents further revision of any step in the method {Column 102, Lines 12-14, wherein this reads

over "to minimize testing errors when creating component and assembly test data, follow the guidelines provided by the AC Methods job aid for quality test data"}.

As for claim 11, BOWMAN-AMUAH discloses the method of claim 1 further comprising a step to maintain version control of said approved final requirements in step (d), said approved base technology selection and modifications in step (g), or said approved qualification of modified base technology in step (i) {Column 102, Lines 42-46, wherein this reads over "Test Data Manipulation tools are used to create original test data and, sometimes, to modify existing test data, such modifications may be needed to process a change in the database schema and to correct intermediate results in order to complete a test cycle"}.

As for claim 12, BOWMAN-AMUAH discloses the method of claim 1, further comprising sending an electronic mail notification to a participant in the method or an interested person upon completion of one of the steps of the method {Column 45, Lines 54-55, wherein this reads over "E-mail provides the capability of sending and receiving messages electronically"}.

As for claim 13, BOWMAN-AMUAH discloses the method of claim 1, further comprising recording in said database action items for completing one or more steps of the method, electronically notifying the responsible persons of said actions items, and tracking completion of said action items {Column 65, Lines 3-4, wherein this reads over "this capability provides useful tracking across the complete life cycle of a change request"}.

As for claim 14, BOWMAN-AMUAH discloses the method of claim 1, wherein one

or more of said steps is at least in part completed by selecting items from a menu, list

box, drop down list, or other selection device available in a personal computer graphical

user interface, thereby reducing typing time and errors {Column 5, Lines 19-21, wherein

this reads over "objects can represent elements of the computer-user environment such

as windows, menus or graphic objects"}.

As for claim 15, BOWMAN-AMUAH discloses the method of claim 1, further

comprising plotting the actual versus planned progress of said steps on a timeline, for

measuring and improving performance and productivity of practicing said method

{Column 14, Lines 19-22, wherein this reads over "the release management team is

responsible for - planning the capability release design and development effort, based

on the capability development approach and timeline}.

As for claim 16, which has the same limitations as in claim 1, therefore, it is

rejected for the similar reasons set forth in claim 1.

As for claim 17, which has the same limitations as in claim 2, therefore, it is

rejected for the similar reasons set forth in claim 2.

As for claim 18, BOWMAN-AMUAH discloses the method of claim 16, wherein

said access to said database is available globally from any personal computer having

suitable client software installed and suitable network connectivity {Column 1, Lines 29-

31, wherein this reads over "millions of computers, from low end personal computers to

high-end super computers are coupled to the Internet"}.

As for claim 19, BOWMAN-AMUAH discloses the method of claim 16, wherein all participants in the method and authorized persons may access at least a portion of said database, and the graphical user interface presented matches the person's type of database access {Column 50, Lines 17-19, wherein this reads over "Web-based access control – enables organizations to control and manage user access to web based applications with restricted access"}.

As for claim 20, BOWMAN-AMUAH discloses the method of claim 16, wherein said access includes a plurality of pre-defined views, thereby permitting quick information sorting and searching {Column 49, Lines 1-2, wherein this reads over "real-time tools integration is most commonly provided by vendors who deliver integrated environment"}.

As for claim 21, which has the same limitations as in claim 7, therefore, it is rejected for the similar reasons set forth in claim 7.

As for claim 22, which has the same limitations as in claim 8, therefore, it is rejected for the similar reasons set forth in claim 8.

As for claim 23, which has the same limitations as in claim 9, therefore, it is rejected for the similar reasons set forth in claim 9.

As for claim 24, which has the same limitations as in claim 11, therefore, it is rejected for the similar reasons set forth in claim 11.

As for claim 25, which has the same limitations as in claim 10, therefore, it is rejected for the similar reasons set forth in claim 10.

As for claim 26, which has the same limitations as in claim 3, therefore, it is rejected for the similar reasons set forth in claim 3.

As for claim 27, which has the same limitations as in claim 12, therefore, it is rejected for the similar reasons set forth in claim 12.

As for claim 28, which has the same limitations as in claim 3, therefore, it is rejected for the similar reasons set forth in claim 3.

As for claim 29, which has the same limitations as in claim 7, therefore, it is rejected for the similar reasons set forth in claim 7.

As for claim 30, which has the same limitations as in claim 13, therefore, it is rejected for the similar reasons set forth in claim 13.

As for claim 31, which has the same limitations as in claim 14, therefore, it is rejected for the similar reasons set forth in claim 14.

As for claim 32, BOWMAN-AMUAH discloses the method of claim 16, wherein database users can enter new items in menus, list boxes, drop down lists or other selection devices after which these new items become part of the selection lists for instances of said method {Column 93, Lines 46-48, wherein this reads over "graphical representation tools are used to display important system information in a form, which is easier to assimilate"}.

As for claim 33, BOWMAN-AMUAH discloses the method of claim 16, wherein at list a portion of said steps comprise copying template forms that are stored in the database thereby insuring data consistency {Column 67, Lines 64-66, wherein this

reads over "the environment may support a high volume of media files, which must be considered in the backup/restore plans"}.

As for claim 34, BOWMAN-AMUAH discloses the method of claim 33, wherein said template forms are revisable at any time by authorized administrators and wherein upon said revision the template forms become immediately available for use by future instances of said method {Column 96, Lines 38-39, wherein this reads over "automatic layout, which indents code depending on its logical level (e.g. loops, conditionals etc.)"}.

As for claim 35, BOWMAN-AMUAH discloses the method of claim 16, wherein reference forms are stored in the database and are made available to users thereby providing assistance in completing said steps {Column 67, Lines 66-67, wherein this reads over "storage capacity planning should allow for the typically increased size of these file types"}.

As for claim 36, BOWMAN-AMUAH discloses the method of claim 35, wherein said reference forms are revisable at any time by authorized administrators and wherein upon said revision the reference forms become immediately available for use by future instances of said method {Column 96, Lines 38-39, wherein this reads over "automatic layout, which indents code depending on its logical level (e.g. loops, conditionals etc.)"}.

As for claim 37, BOWMAN-AMUAH discloses the method of claim 16, wherein administration of the database comprises providing, changing or revoking user access, maintaining items in various selection lists, maintaining template forms, reference forms and help forms, 18 and wherein said administration is performed only by authorized persons {Column 50, Lines 18-20, wherein this reads over "web-based access control-

enables organizations to control and manage user access to web based applications with restricted access"}.

As for claim 38, BOWMAN-AMUAH discloses the method of claim 37, further comprising performing said administration in a graphical user interface and wherein said administration does not require knowledge of computing languages {Column 1, Lines 55-57, wherein this reads over "because the user does not have to be technically trained and the browser is pleasant to use, it has the potential of opening up the Internet to the masses"}.

As for claim 39, which has the same limitation as in claim 1, therefore, it is rejected for the similar reason set forth in claim 1.

As for claim 40, which has the same limitation as in claim 16, therefore, it is rejected for the similar reason set forth in claim 16.

As for claim 41, which has the same limitation as in claim 2, therefore, it is rejected for the similar reason set forth in claim 2.

As for claim 42, which has the same limitation as in claim 18, therefore, it is rejected for the similar reason set forth in claim 18.

As for claim 43, which has the same limitation as in claim 19, therefore, it is rejected for the similar reason set forth in claim 19.

As for claim 44, which has the same limitation as in claim 20, therefore, it is rejected for the similar reason set forth in claim 20.

As for claim 45, which has the same limitation as in claim 21, therefore, it is rejected for the similar reason set forth in claim 21.

As for claim 46, which has the same limitation as in claim 22, therefore, it is rejected for the similar reason set forth in claim 22.

As for claim 47, which has the same limitation as in claim 23, therefore, it is rejected for the similar reason set forth in claim 23.

As for claim 48, which has the same limitation as in claim 25, therefore, it is rejected for the similar reason set forth in claim 25.

As for claim 49, which has the same limitation as in claim 26, therefore, it is rejected for the similar reason set forth in claim 26.

As for claim 50, which has the same limitation as in claim 27, therefore, it is rejected for the similar reason set forth in claim 27.

As for claim 51, which has the same limitation as in claim 28, therefore, it is rejected for the similar reason set forth in claim 28.

As for claim 52, which has the same limitation as in claim 29, therefore, it is rejected for the similar reason set forth in claim 29.

As for claim 53, which has the same limitation as in claim 30, therefore, it is rejected for the similar reason set forth in claim 30.

As for claim 54, which has the same limitation as in claim 37, therefore, it is rejected for the similar reason set forth in claim 37.

As for claim 55, which has the same limitation as in claim 38, therefore, it is rejected for the similar reason set forth in claim 38.

As for claim 56, which has the same limitation as in claim 1, therefore, it is rejected for the similar reason set forth in claim 1.

As for claim 57, which has the same limitation as in claim 18, therefore, it is rejected for the similar reason set forth in claim 18.

As for claim 58, which has the same limitation as in claim 19, therefore, it is rejected for the similar reason set forth in claim 19.

As for claim 59, which has the same limitation as in claim 22, therefore, it is rejected for the similar reason set forth in claim 22.

As for claim 60, which has the same limitation as in claim 26, therefore, it is rejected for the similar reason set forth in claim 26.

As for claim 61, which has the same limitation as in claim 28, therefore, it is rejected for the similar reason set forth in claim 28.

As for claim 62, which has the same limitation as in claim 13, therefore, it is rejected for the similar reason set forth in claim 13.

As for claim 63, which has the same limitation as in claim 14, therefore, it is rejected for the similar reason set forth in claim 14.

As for claim 64, which has the same limitation as in claim 37, therefore, it is rejected for the similar reason set forth in claim 37.

As for claim 65, which has the same limitation as in claim 38, therefore, it is rejected for the similar reason set forth in claim 38.

As for claim 66, BOWMAN-AMUAH discloses a product development and commercialization management information system, said system comprising:

(a)   means for storing, retrieving, searching, modifying, and reporting customer requirements for a product {See Fig. 1, Element 110};

(b)   means for storing, retrieving, searching, modifying, and reporting an

evaluation of the economics of developing said product per said customer

requirements {See Fig. 1, Element 135};

(c)   means for storing, retrieving, searching, modifying, and reporting a

selection of a base technology {See Fig. 1, Element 110};

(d)   means for storing, retrieving, searching, modifying, and reporting a

determination of modifications needed of said base technology to meet

said final requirements {See Fig. 1, Element 110}; and

(e)   means for storing, retrieving, searching, modifying, and reporting testing

details and results of said determination to verify it meets said final

requirements {See Fig. 1, Element 110}.

As for claim 67, BOWMAN-AMUAH discloses a product development and

commercialization management information system comprising:

(a)   a collaborative work space, wherein multiple participants can individually

and jointly work on a project {Column 14, Lines 36-39, wherein this reads

over "design, construction, configuration, and environment management

team members would make up a typical release management team, each

providing input based on their own perspective"}:

(1)   configured at least partially automating workflow of product

development and commercialization projects from determining

customer requirements and financial analysis of project viability,

through determining a base technology, determining any needed

modifications of said base technology, and testing said modified

base technology to verify compliance with customer requirements,

and configured for adding/changing the participants in a project

{Columns 13-14, Lines 66-67 & 1-3, wherein this reads over "the

configuration management team is responsible for defining the

approach the program takes to deal with scope, change control,

version control, and migration control, and for putting in place the

policies, processes, and procedures required to implement this

approach"};

(2)   configured for assigning, tracking and providing notification of tasks

relating to a product development project or group of projects

{Column 14, Lines 20-22, wherein this reads over "planning the

capability release design and development effort, based on the

capability development approach and timeline"};

(3)   configured for providing a collaborative work space comprising a

secure/searchable communication repository linked to product

development projects or logical grouping of projects and their tasks,

for communications with and between project participants and

customers, configured for recording, channeling, and archiving said

communications {Column 14, Lines 23-26, wherein this reads over

"measuring and monitoring progress using established processes

to ensure that a capability release is delivered on time, within

budget, and that it meets or exceeds expectations"};

(4)   configured for financial tracking and/or forecasting for a project or a

logical grouping of projects {Column 14, Lines 64-67, wherein this

reads over "the problem management team is responsible for

defining the problem tracking and solution process, and for

providing tools and procedures to support the solution process"};

(5)   configured for importing lab data {Column 14, Lines 30-31, wherein

this reads over "ensuring that resources are used effectively across

projects for the release"};

(6)   configured for providing a secure and searchable document

repository linked to projects or logical groupings of projects,

wherein said documents are in final format {Column 21, Lines 26-

28, wherein this reads over "when supporting specific kinds of

repository analysis, the repository management team can provide

custom reports or folder management (204)"}; and

(b)   a database:

(1)   configured for storing a product development project's history and

details, said history and details comprising the types of data, time

schedules, status of all steps in the project, contact information,

results of all steps in the project, and documents and information

supporting all steps in the project {Column 20, Lines 65-67, wherein

this reads over "this daily effort is crucial to avoid a massive

cleanup, which would be necessary if the repository manager ever

lost control of the repository"}; and

(2)   configured for searching said stored history and details and for

generating reports from same {Column 21, Lines 2-5, wherein this

reads over "these standards can form the basis for a repository

validation program, which can run through the entire repository and

report on detected deviations from standards"};

(c)   a network for connecting said collaborative workspace and database

{Column 1, Lines 27-29, wherein this reads over "the Internet is a

worldwide interconnection of computer networks that communicate using

a common protocol"}; and

(d)   means for providing for different levels of secure access for different users

{Column 68, Lines 22-26, wherein this reads over "security tools are

required in the development environment to ensure against unauthorized

access by individuals and system process, to limit damages caused by

such unauthorized access, and to audit access the environment

services"}.

As for claim 68, BOWMAN-AMUAH discloses the system of claim 67, wherein

said network comprises the Internet {Column 1, Lines 29-31, wherein this reads over

"millions of computers, from low end personal computers to high-end super computers

are coupled to the Internet"}.

As for claim 69, BOWMAN-AMUAH discloses the system of claim 67, wherein said collaborative workspace comprises a client application comprising a web browser {Column 50, Lines 18-20, wherein this reads over "Web-based access control – enables organizations to control and manage user access to web based applications with restricted access"}.

Conclusion

10.	The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

I.	U.S. Patent:

1)	U.S. Patent No. 6,044,354 (ASPLEN, JR.) is cited to teach computer based product planning system,

2)	U.S. Patent No. 6,718,218 (MATHESON) is cited to teach a CAD data model with design notes, and

3)	U.S. Patent No. 6,516,451 (PATIN) is cited to teach a computer process used to create a report to check a proposed project to insure conformity with existing standards.

II.	Non-Patent Literature:

1)	Bisby, Mead and Morgan, "Active Uptake of Drugs into Photosensitive Liposomes and Rapid Release on UV Photolysis", July 2000, Photochemistry and Photobiology, Division of Biological Sciences, School of Environmental and Life Sciences, University of Salford, Salford, UK, Page 57.

2)   Business/Technology Editors, "American Electromedics Signs Merger

Agreement with Equidyne Systems, Inc., Developer of New "Needle-Free

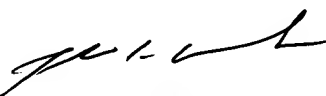Injector" Delivery Technology; [3]", April 1, 1998, Business Wire, New

York, Page 1.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cang (James) G. Thai whose telephone number is (703) 305-0553. The examiner can normally be reached on 6:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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CGT
2/16/2005

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